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COUNTY OF CALAVERAS

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

THOMAS JAMES CORRIGAN,
individually and as co-successor-in-interest
to Decedent JOHN JAMES CORRIGAN;
KATHLEEN ANN WAITE, individually
and as cosuccessor-in-interest to Decedent
JOHN JAMES CORRIGAN; KIRSTIN
LYNN CORRIGAN, individually and as
cosuccessor-in-interest to Decedent JOHN
JAMES CORRIGAN; D.J.C., a minor,
individually and as co-successor-in-interest
to Decedent JOHN JAMES CORRIGAN,
by and through his Guardian ad Litem,
THOMAS JAMES CORRIGAN,

Plaintiffs,

v.

COUNTY OF CALAVERAS, a general
law county public entity; RICK
DiBASILIO, individually, and in this
official capacity as the Sheriff of Calaveras
County; KEVIN STEVENS, individually
and in his official capacity as a sergeant for
Calaveras County Sheriff's Department;
JIM MOSER, individually and in his

Case No.: 1:20-cv-00931-DAD-SKO

**STIPULATION and ORDER FOR AN
EXTENSION OF TIME TO FILE A
RESPONSIVE PLEADING**

[E.D. Cal. L.R. 144(a)]

(Doc. 13)

1 official capacity as a deputy for Calaveras
2 County Sheriff's Department; BRIAN
3 TERRY, individually and in his official
4 capacity as a deputy for Calaveras County
5 Sheriff's Department; JOSEPH BOBERG,
6 individually and in his official capacity as
an officer for the California Highway
Patrol; and DOES 1-50, inclusive,
individually, jointly and severally.

7 Defendants.

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9 Plaintiffs, by and through their counsel Frank M. Pacheco, Esq. of the Law Offices of
10 Frank Pacheco and Defendant COUNTY OF CALAVERAS, by and through counsel Shanan L.
11 Hewitt, Esq. of the Law Offices of Rivera Hewitt Paul LLP, hereby stipulate pursuant to Local
12 Rule of Court 144(a) to an extension of time in order to permit Defendants COUNTY OF
13 CALAVERAS, et al. to file a responsive pleading to Plaintiffs' Complaint for Damages (Doc. 1)
14 filed on July 4, 2020, in accordance with the pleading requirements of the Federal Rules of Civil
15 Procedure. The parties stipulate and have agreed to extend the responsive pleading deadline
16 follows:

- 17 (1) Defendants COUNTY OF CALAVERAS, et al. were served with this lawsuit on or about
18 September 21, 2020.
- 19 (2) The undersigned defense counsel was contacted on October 1, 2020 regarding possible
20 representation of COUNTY OF CALAVERAS, RICK DiBASILIO, KEVIN STEVENS,
21 JIM MOSER, BRIAN TERRY, JOSEPH BOBERG; After conducting a conflict check,
22 defense counsel accepted the assignment, but to date is still awaiting case-related
23 materials from the Calaveras County Sheriff's Department and will need to communicate
24 with all individual Defendants involved in the incident at issue in order to properly
25 prepare a responsive pleading to the Complaint (Doc. 1).
- 26 (3) Under the current circumstances, the parties have agreed and hereby stipulate to extend
27 the time for Defendants COUNTY OF CALAVERAS, et al. to respond to the Complaint
28 (Doc. 1) from the original responsive pleading due date of October 12, 2020 to the agreed

upon date of October 27, 2020. Accordingly, the parties hereby request that the Mandatory Scheduling Conference currently set for November 10, 2020 at 9:30 AM in Courtroom 7 be continued to a later date to be determined by the Court.

IT IS SO STIPULATED.

Dated: October 5, 2020

LAW OFFICES OF FRANK M. PACHECO

/s/ Frank M. Pacheco
FRANK PACHECO
Attorney for Plaintiffs

Dated: October 6, 2020

RIVERA HEWITT PAUL LLP

/s/ Shanan L. Hewitt
SHANAN L. HEWITT
Attorneys for Defendants

ORDER

GOOD CAUSE having been shown, the foregoing stipulated request for an extension of time for Defendants COUNTY OF CALAVERAS, et al. to file a responsive pleading to Plaintiffs' Complaint (Doc. 13) is HEREBY GRANTED. Defendants COUNTY OF CALAVERAS, et al., shall file and serve their responsive pleading to Plaintiffs' Complaint no later than October 27, 2020.

Based on the foregoing, the Mandatory Scheduling Conference currently set for November 10, 2020, will be CONTINUED to **November 19, 2020, at 10:15 a.m.** before Magistrate Judge Sheila K. Oberto. The parties SHALL file their joint scheduling report by no later than November 12, 2020.

IT IS SO ORDERED.

Dated: **October 7, 2020**

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE